

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ROBIN R. MCCLURE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION;

Defendant.

No. 4:18-00620-CV-RK

**ORDER GRANTING PLAINTIFF’S APPLICATION FOR ATTORNEY
FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT**

Now pending before the Court is Plaintiff’s Application for Attorney Fees under the Equal Access to Justice Act (“EAJA”). (Doc. 18.) Defendant and Plaintiff have agreed to an award of EAJA fees in the amount of \$7,300. (Docs. 19 and 20.)

Under the EAJA, a prevailing party in an action brought against the United States shall be awarded attorney fees unless the position of the United States was “substantially justified” or special circumstances make an award unjust. 28 U.S.C. § 2412(d)(1)(a). Plaintiff was a prevailing party in this action and an award is appropriate. Accordingly, the Court **ORDERS** as follows:

1. Plaintiff is awarded attorney’s fees in the amount of \$7,300, to be paid by the Social Security Administration.
2. The above award is subject to offset to satisfy any pre-existing debt Plaintiff may owe to the United States.
3. If the Government is satisfied there is no debt owed by Plaintiff, the fee or any remainder following offset may be made payable directly to Plaintiff’s counsel, per the assignment attached to the motion.

IT IS SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: January 7, 2020